

Message Text

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ACTION EUR-12

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FM AMEMBASSY ATHENS

TO SECSTATE WASHDC IMMEDIATE 9264

INFO CINCUSNAVEUR IMMEDIATE

CMC

FLESUPPO ATHENS IMMEDIATE

NAVSUPPACT NAPLES

MARBKS NAPLES

MARSECURITY GRD BN WASHDC

NAVY JAG IMMEDIATE

AVLEGSVCOFF NAPLES IMMEDIATE

NAVLEGSVCBROFF ATHENS IMMEDIATE

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E.O. 11652: N/A

TAGS: ASEC, AFSP, MILI, OGEN, GR

SUBJECT: CASE OF MSG TELESFORO SANCHEZ

REFS: (A) ATHENS4054; (B) ATHENS 4115

1. SUBSEQUENT TO PRESENTATION TO FONOFF OF EMBASSY NOTE
NO. 136 (REF A), EMBASSY HAS PURSUED SUBJECT CASE IN A
NUMBER OF CONTACTS WITH FONOFF DIRGEN FOR POLITICAL AFFAIRS
TZOUNIS, AND DIRECTOR OF THIRD POLITICAL DIRECTORATE
MEGLIARESSIS. SUBSTANCE OF RESPONSES CONSISTENTLY WAS
CONTINUED FONOFF ACKNOWLEDGEMENT OF SGT. SANCHEZ' IMMUNITY,
ANTICIPATION OF MINISTRY OF JUSTICE'S SIMILAR ACKNOWLEDGEMENT,
AND NEED TO SECURE PM CARAMANLIS' APPROVAL OF IN-COUNTRY
TRIAL. FOLLOWING

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FONOFF'S RECEIPT OF WRITTEN CONCURRENCE

FROM MINISTRY OF JUSTICE AND AFTER FONOFF OBTAINED PO'S
APPROVAL OF TEXT, MIGLIARESSIS ON JUNE 21 GAVE TO POL/MIL
OFFICER NOTE VERBALE, TEXT OF WHICH FOLLOWS:

2. BEGIN TEXT THE MINISTRY OF FOREIGN AFFAIRS PRESENTS
ITS COMPLIMENTS TO THE EMBASSY OF THE UNITED STATES OF
AMERICA AND WITH REFERENCE TO NOTE NO. 136, DATED MAY 27,
1975, HAS THE HONOR TO INFORM THE EMBASSY THAT THE GOVERN-
MENT OF GREECE AGREES TO THE HOLDING OF AN AMERICAN COURT
MARTIAL ON GREEK TERRITORY IN ORDER TO TRY SGT. TELESFORO
SANCTEZ, FOR THE OFFENSES HE COMMITTED ON THE NIGHT OF
DECEMBER 30, 1974. THE COMPETENT GREEK AUTHORITIES WILL
OF COURSE COOPERATE IN ENSURING THE PRESENCE OF NECESSARY
WITNESSES DURING THE TRIAL IN QUESTION.

THE DECISION OF THE GREEK GOVERNMENT AS TO THE PRESENCE
OF AN OBSERVER THROUGHOUT THE COURT MARTIAL TRIAL, WILL BE
NOTIFIED TO THE EMBASSY UPON RECEIPT OF INFORMATION REGARD-
ING THE DATE AND THE PLACE WHERE THE TRIAL WILL BE HELD.
END TEXT

3. THROUGHOUT THE GOG CONSIDERATION OF THIS SITUATION, WE
HAVE POINTED
OUT THE URGENCY
OF BRINGING THE CASE TO TRIAL
AT THE EARLIEST POSSIBLE DATE BECAUSE OF THE NEED TO SAFE-
GUARD THE RIGHTS OF SGT. SANCHEZ. THUS, THE
FONOFF HAS BEEN WELL-AWARE OF THE IMPERATIVES UNDER WHICH
THE US MILITARY SERVICES WORK IN SUCH SITUATIONS AND HAS
FINALLY SUCCEEDED IN RESOLVING THE ISSUE CORRECTLY. THE
INTERESTED GOG AGENCIES WILL BE WATCHING WITH GREAT INTEREST
THE SPEED WITH WHICH AND, THROUGH A TRIAL OBSERVER, THE
MANNER IN WHICH THE CHARGES AGAINST SGT. SANCHEZ ARE RE-
SOLVED BY A GENERAL COURT MARTIAL.

4. WE UNDERSTAND THAT ALTHOUGHT THE MILITARY JUDGE WHOSE
PRESENCE IS ESSENTIAL TO THE CONDUCT OF A GENERAL COURT
MARTIAL IS NOW IN ATHENS, HIS SCHEDULE MIGHT REQUIRE HIM
TO DEPART BEFORE THE SANCHEZ CASE COULD BE TRIED, THEREBY
INTRODUCING A DELAY OF SOME DAYS OR WEEKS. IT WOULD BE
MOST UNFORTUNATE, AND SEEMINGLY WOULD BELIE THE URGENCY
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WITH WHICH WE HAVE PRESSED THE GOG, IF SUCH A DELAY IN THE
INITIATION OF THE TRIAL NOW OCCURRED. THEREFORE, WE URGE
THE RESPONSIBLE US MILITARY AGENCIES TO DO WHATEVER IS
NECESSARY TO ENSURE THE CONTINUED PRESENCE OF THE MILITARY
JUDGE UNTIL THE TRIAL OF SGT. SANCHEZ CAN BE HELD.

5. COMMENT BY AMBASSADOR: THE SANCHEZ CASE HAS OCCUPIED
A GREAT DEAL OF MY TIME AND THAT OF SENIOR OFFICIALS OF

GREEK GOVT., INCLUDING THE PRIME MINISTER, DURING THE PAST
SEVERAL MONTHS. THESE EFFORTS MUST NOT RPT NOT BE JEOPARDIZED
BY FURTHER DELAYS. I THEREFORE BELIEVE THAT IT IS A MATTER
OF CONSIDERABLE IMPORTANCE THAT THE COMPETENT MILITARY
JUDGE REMAIN IN ATHENS TO AVOID FURTHER DELAYS IN THE
DISPOSITION OF THE SANCHEZ CASE.
KUBISCH

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